

## **NOTICE OF PROPOSED ACTION AND PUBLIC HEARING**

by the

U.S. Environmental Protection Agency  
Region IX, WTR-5  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Public Notice #: CA-06-W-21  
Public Notice Date: June 29, 2006  
Comment Period Closes: September 12, 2006

The U.S. Environmental Protection Agency, Region IX (USEPA) is issuing a notice of proposed action under the Clean Water Act (CWA). The USEPA is proposing to issue a National Pollutant Discharge Elimination System (NPDES) permit CA0005241 to:

Dry Creek Rancheria Band of Pomo Indians; 3250 Highway 128 East; Dry Creek Rancheria, CA 95441. Mailing Address: P.O. Box 607; Geyersville, CA 95441.

The Dry Creek Rancheria treats wastewater that includes the existing River Rock Casino. Wastewater is currently land-applied or re-used on site. Effluent is proposed to be discharged to two receiving waters located on the Rancheria. One is an unnamed tributary to the Russian River. The other is an unnamed ephemeral channel that does not have a connection to the Russian River.

The proposed permit incorporates effluent limitations and standards to protect receiving waters based on the Water Quality Control Plan for the North Coast Region, and includes a prohibition of discharge to the Russian River from May 15 to September 30 each year. Wastewater biosolids will be shipped off-site for disposal.

The discharge may affect the quality of waters within the State of California. EPA is therefore inviting the State to express its views as to whether any additional or revised provisions are necessary to avoid violation of any California water quality requirements, as provided for by section 401(a)(2) of the Clean Water Act. If the State objects to the issuance of this permit because of the potential for such a violation, the hearing provided for by this notice shall also serve as a hearing on any such objections.

The administrative record, including the draft permit, fact sheet, comments received, all data submitted by the applicant, and other relevant documents is open for public inspection during normal business hours (9:00-5:00) at the above address. Requests to obtain or review the administrative record should be made to the contact listed below. Interested persons may submit written comments on the draft permit during the public comment period to the contact listed below. All comments or objections received within the comment period will be retained and considered in the formulation of the final permit determination.

EPA has decided to hold a public workshop followed by a public hearing on the proposal. During the workshop, EPA will present the proposal and respond to questions but will not accept oral comments to the administrative record. At the public hearing, a court reporter will be present and any person may submit oral or written statements and data concerning the draft permit for inclusion in the public record. Reasonable limits may be set upon the time allowed for oral statements. The public workshop will be held on September 7, 2006 from 6:00-7:00 pm and the public hearing will immediately follow from 7:00-9:00 pm at the National Indian Justice Center; 5250 Aero Drive; Santa Rosa, California.

Upon issuance of a final permit decision and response to comments, the USEPA will notify the applicant and persons who submitted written comments or requested notice of the final permit decision. Within 33 days after EPA issues the final permit, any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision (40 CFR Part 124.19).

When public interest warrants, USEPA may grant an extension of the comment period for the submittal of comments or objections (40 CFR Part 124.14).

Contact: John Tinger, (415) 972-3518, [Tinger.John@epa.gov](mailto:Tinger.John@epa.gov)

Website: <http://www.epa.gov/region09/water/npdes/pubnotices.html>